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February 5, 2018

VIA ECF

The Honorable Franklin L. Noel
Magistrate Judge, United States District Court
District of Minnesota
9W U.S. Courthouse
300 South Fourth Street
Minneapolis, MN 55415

RE: *In re Bair Hugger Forced Air Warming Devices Products Liability Litigation*
MDL No. 15-2666 (JNE-FLN)

Dear Judge Noel:

On behalf of Defendants, we write to request clarification of two questions raised by the Court's January 30, 2018 Order (ECF No. 1067).

First, on page 2 of the Order, the Court notes that Defendants sought "emails sent to or from" the Gmail account. In granting Defendants' motion, however, the Court expressly directed Augustine to "produce all emails sent from the disputed account." Defendants respectfully request that the Court confirm that the Order requires production of emails sent both from and to the Gmail account.

Second, the Order does not set forth a timeframe within which Respondent is required to comply with the Court's directives. Defendants request that Respondent be required to produce documents encompassed by the Order by February 13, 2018 (that is, two weeks from the date of the Order). It is important for Defendants to have the requested documents prior to continuing Augustine's deposition and taking the depositions of Mr. Benham and Brent Augustine.

We attempted last Thursday morning to meet-and-confer by email with counsel for Augustine on these issues (including a request for deposition dates) but have received no response.

Thank you for your time and consideration of these issues.

Sincerely,

s/Benjamin W. Hulse

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